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APPLICATION NO.	FILING DATE .	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,787	06/15/2005	. Fredrick Mark Manasseh	101374.55365US	4505
23911 7590 01/29/2008 CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP			EXAMINER	
			CHAN, CHRISTOPHER T	
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			2146	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)	T			
	10/506,787	MANASSEH ET AL.	Ì			
Office Action Summary	Examiner	Art Unit				
	Christopher Chan	2146				
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA. - Extensions of time may be available under the provisions of 37 CFR 1.1: after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	N. nely filed the mailing date of this communication. ED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 20 N	ovember 2007.					
2a)⊠ This action is FINAL . 2b)□ This	This action is FINAL . 2b) This action is non-final.					
3) Since this application is in condition for alloward	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 49	53 O.G. 213.				
Disposition of Claims						
4) Claim(s) <u>1-15,17-34 and 36-41</u> is/are pending	in the application.					
4a) Of the above claim(s) is/are withdraw	wn from consideration.					
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-15,17-34 and 36-41</u> is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) are subject to restriction and/o	r election requirement.					
Application Papers						
9) The specification is objected to by the Examine	er.	•				
10)⊠ The drawing(s) filed on <u>07 September 2004</u> is/a		ted to by the Examiner.				
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correct	tion is required if the drawing(s) is ob	jected to. See 37 CFR 1.121(d).				
11) ☐ The oath or declaration is objected to by the Ex	caminer. Note the attached Office	Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign a)⊠ All b)□ Some * c)□ None of: 1.⊠ Certified copies of the priority document)-(d) or (f).				
2. ☐ Certified copies of the priority document	·	ion No.				
3. ☐ Copies of the certified copies of the prior	• • • • • • • • • • • • • • • • • • • •					
application from the International Bureau	ս (PCT Rule 17.2(a)).	•				
* See the attached detailed Office action for a list	of the certified copies not receive	ed.				
Attachment(s)						
1) X Notice of References Cited (PTO-892)	4) Interview Summary	(PTO-413)				
2) Description Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail D	ate				
Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal F 6) Other:	ratent Application				

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DETAILED ACTION

Claim Rejections - 35 USC § 102 & 103

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in-
- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, <u>except</u> that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-15, 17-34, and 36-40 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent 6,559,769 (hereinafter Anthony et al.).

Regarding Claim 1, Anthony et al. taught an apparatus for recording and playback of an event associated with a transportation vehicle (Abstract; system that can be used on mobile vehicles to stream digital audio/video to remote centers

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where they are recorded and analyzed in real-time, thus played back), from at least two synchronized data streams associated with the transportation vehicle (Col. 5, Lines 24-41; plurality of cameras providing a plurality of streams monitoring and recording of activities associated to a vehicle, thus being real-time and synchronized data streams as it follows the events as the occur), the apparatus comprising:

at least two capture devices for capturing the at least two synchronized data streams depicting activities associated with the transportation vehicle (Abstract; plurality of digital video cameras locally placed, thus showing multiple streams of the data. Col. 13, Lines 54-60; video and audio recorded in situ and then transmitted can be stored in well-known file formats such as ASV, Real Media, Quicktime, etc. which will output a playback the recorded events by the plurality of sources in a synchronized manner as the events have been stored in real-time from those sources. Col. 15, Lines 56-65; reconcile real-time information with historically comparable information under analysis);

at least one recording device for recording at least one of the at least two captured data streams depicting the activities associated with the transportation vehicle (Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle); and

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at least one communication device for communicating the recorded data stream to a monitoring station (Abstract; telecommunications device to a satellite that downlinks the data signals to control centers for recording and analysis. Col. 10, Lines 65-67; streaming media server storing the video clips),

In regards to wherein at least one of the at least two capture devices is located in a facility external to the transportation vehicle, Col. 13, Lines 26-30 describes that cameras, or capture devices, may be placed both inside and outside the vehicle. Furthermore, Col. 19, Lines 35-61 describes how real-time recording devices for capturing events can be placed on a external location associated to an airplane such as on the vertical/horizontal stabilizers, landing carriage, etc., which are all essentially facilities which are external. It also describes of data collection devices at appropriate airport locations proximal to an airplane while awaiting service and boarding in a gate or while being maintained in a hanger, of which such cameras would still be associated to the respective airplane.

In the alternative however, as Anthony et al's system's cameras and various related capturing and recording equipment can be placed strategically in various locations (Col. 2, Lines 15-22), one of ordinary skill in the art would find it obvious to place cameras anywhere, even on a external facility pointing towards a target depending on the vantage viewpoints he or she desires as the devices uses under Anthony et al.'s system allows it to be that mobile. Using an embodiment described in Col. 16, Lines 20-62, the system is applied on a residential home. Since the owner has worked hard to purchase that home and the car in the driveway, definitely would like to

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keep such property secure, thus, the system may not just monitor the home, but the car itself in the viewpoint from the house. The car may also have the system installed within it as well, thus creating the situation where the capture devices can be both internal and external in relation to a target (in this case the vehicle). The decision to do so would have been also an obvious matter of design choice as it yields highly predictable results as the system taught by Anthony et al. is flexible enough to accomplish such features.

Regarding Claim 2, Anthony et al. taught the apparatus further comprising at least one alarm activator device for activating the at least one of the at least two capture devices (Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines 54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on).

Regarding Claim 3, Anthony et al. taught the apparatus further comprising at least one database device for storing the at least two data streams (Col. 8, Lines 31-36; data downlinked onto a database).

Regarding Claim 4, Anthony et al. taught the apparatus further comprising an at least one analysis device for analyzing an at least one of the at least two data streams

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(Col. 9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked).

Regarding Claim 5, Anthony et al. taught the apparatus further comprising a disabler device for disabling the control of the transportation vehicle (Col. 22, Lines 30-40; trigger engine shut-down, thereby disables control).

Regarding Claim 6, Anthony et al. taught the apparatus 1 further comprising a disabler device for controlling the transportation vehicle from a location external to the transportation vehicle (Col. 22, Lines 30-40; trigger from the external control center).

Regarding Claim 7, Anthony et al. taught the apparatus further comprising a control device for controlling at least one of the at least two capture devices or the at least one recording device or the at least one communication device (Col. 5, Lines 52-57; black box controls camera activation).

Regarding Claim 8, Anthony et al. taught the apparatus further comprising a monitoring device for monitoring events captured by the at least one of the at least two capture device (Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras).

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Regarding Claim 9, Anthony et al. taught the apparatus further comprising a retrieval device for retrieving a part or whole of at least one of the at least two data streams captured by at least one of the at least two capture devices associated with the transportation vehicle (Col. 5, lines 6-22; uplinking to a satellite).

Regarding Claim 10, Anthony et al. taught the apparatus wherein the data streams are synchronized multimedia data streams (Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle when played back. Col. 15, Lines 56-65; reconcile real-time information with historically comparable information under analysis).

Regarding Claim 11, Anthony et al. taught the apparatus wherein the at least two data streams are synchronized with a radio signal (in addition to the rejection of Claim 10, Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service, for delivering the data streams in real-time and synchronized to a remote center from the local control board).

Regarding Claim 12, Anthony et al. taught the apparatus wherein at least one of the at least two capture devices is a video camera (Col. 6, Lines 25-27; cameras, further referenced in the rejections above as well).

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Regarding Claim 13, Anthony et al. taught the apparatus wherein at least one of the at least two capture devices is a microphone (Col. 11, Line 54).

Regarding Claim 14, Anthony et al. taught the apparatus of claim 1 wherein at least one of the at least two capture devices is a radio receiver (Col. 13, Lines 16-20; control signals received on mobile units are via cellular, which by Col. 12, Lines 1-6 can be of general packet radio service type).

Regarding Claim 15, Anthony et al. taught the apparatus wherein the at least one recording device is located within the transportation vehicle (Col. 5, Lines 7-11; local controller placed within the automobile. Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle).

Regarding Claim 17, Anthony et al. taught the apparatus the at least one analysis device is located within the transportation vehicle (Col. 8, Lines 12-21; automatic trigger event activation of system, thereby the system having continuous analysis of the situation be on certain predetermined triggering events as

handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices).

Regarding Claim 18, Anthony et al. taught the apparatus wherein the at least one analysis device is located external to the transportation vehicle in a command and control center or a crisis-management facility (Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers).

Regarding Claim 19, Anthony et al. taught the apparatus of claim 1 wherein the at least one communication device transmits a transmission to be later redistributed (Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible).

Regarding Claim 20, Anthony et al. taught a method for recording and playback of an event associated with a transportation vehicle, from at least two synchronized data streams associated with the transportation vehicle, the method comprising the steps of:

receiving the at least two data streams depicting activities associated with the transportation vehicle from at least two capture devices;

recording at least one of the at least two captured data streams depicting the activities associated with the transportation vehicle by at least one recording device; and

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communicating the recorded data stream to a monitoring station by a communication device;

wherein at least one of the least two capture devise is located in a facility external to the transportation vehicle (Claim 20 is rejected for the same reasons as taught in Claim 1 as the limitations are analogous in scope and language).

Regarding Claim 21, Anthony et al. taught the method further comprising the step of activating at least one of the at least two capture devices by at least one alarm activator device (Col. 8, Lines 1-14; manual and automatic activation based on triggering event that was activate audio/video. Col. 11, Lines 54-65; alarm switch device connected to the serial port of the mobile unit. Col. 12, Lines 35-39; alarm mode has cameras on).

Regarding Claim 22, Anthony et al. taught the method further comprising the step of storing the at least two data streams in an at least one database device (Col. 8, Lines 31-36; data downlinked onto a database).

Regarding Claim 23, Anthony et al. taught the method further comprising the step of analyzing at least one of the at least two data streams (Col. 9, Lines 22-28; centralized data center which receives and analyzes the signals being downlinked).

Regarding Claim 24, Anthony et al. taught the method further comprising the step of disabling the control of the transportation vehicle (Col. 22, Lines 30-40; trigger engine shut-down, thereby disables control).

Regarding Claim 25, Anthony et al. taught the method further comprising the step of controlling the transportation vehicle from a location external to the transportation vehicle (Col. 22, Lines 30-40; trigger from the external control center).

Regarding Claim 26, Anthony et al. taught the method further comprising the step of controlling the at least one of the at least two capture devices or the at least one recording device or the at least one communication device (Col. 5, Lines 52-57; black box controls camera activation).

Regarding Claim 27, Anthony et al. taught the method further comprising the step of monitoring events captured by the at least one of the at least two capture devices (Col. 5, Lines 6-22; monitoring apparatus for monitoring based on received signals from the plurality of cameras).

Regarding Claim 28, Anthony et al. taught the method further comprising the step of retrieving a part or whole of at least one of the at least two data streams captured by at least one of the at least two capture devices associated with the transportation vehicle (Col. 5, lines 6-22; uplinking to a satellite).

Regarding Claim 29, Anthony et al. taught the method wherein the at least two data streams are synchronized multimedia data streams (Col. 15, Lines 31-34; a plurality of channels are monitored which hold the data stream of audio and video. Furthermore, the Abstract teaches of such data being real-time, therefore the system and the data it transmits must be synchronized with what actually occurs on the vehicle. Col. 15, Lines 56-65; reconcile real-time information with historically comparable information under analysis).

Regarding Claim 30, Anthony et al. taught the method wherein at least one of the at least two data streams are synchronized with a radio signal (in addition to the rejection of Claim 10, Col. 21, Lines 25-27 teaches of using GPRS, or general packet radio service, for delivering the data streams in real-time and synchronized to a remote center from the local control board).

Regarding Claim 31, Anthony et al. taught the method wherein the at least one of the at least two capture devices is a video camera (Col. 6, Lines 25-27; cameras, further referenced in the rejections above as well).

Regarding Claim 32, Anthony et al. taught the method wherein at least one of the at least two capture devices is a microphone (Col. 11, Line 54).

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Regarding Claim 33, Anthony et al. taught the method wherein the at least one of the at least two capture devices is a radio receiver (Col. 13, Lines 16-20; control signals received on mobile units are via cellular, which by Col. 12, Lines 1-6 can be of general packet radio service type).

Regarding Claim 34, Anthony et al. taught the method wherein the at least one recording device is located within the transportation vehicle (Col. 5, Lines 7-11; local controller placed within the automobile. Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle).

Regarding Claim 36, Anthony et al. taught the method wherein the at least one analysis device is located within the transportation vehicle (Col. 8, Lines 12-21; automatic trigger event activation of system, thereby the system having continuous analysis of the situation be on certain predetermined triggering events as handled by processors on Col. 7, Lines 32-36, which by themselves are essentially analysis devices).

Regarding Claim 37, Anthony et al. taught the method wherein the at least one analysis device is located external to the transportation vehicle in a command and

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control center or a crisis-management facility (Col. 8, Lines 22-36; law enforcement can handle crisis management and the above teaches of analysis and monitoring at control centers).

Regarding Claim 38, Anthony et al. taught the method wherein the at least one communication device transmits a transmission to be later redistributed (Col. 14, Lines 13-20; streaming via a predetermined schedule or periodically, thereby later redistribution is fully possible).

Regarding Claim 39, Anthony et al. taught the apparatus wherein the analysis device initiates recording if the transportation vehicle does not follow a prearranged course (Col. 8, Lines 18-21; automatic trigger event to initiate recording may be when driver is not following usual habits. Col. 16, Lines 5-19; fleet action is recorded and uplinked to authorities and triggers response when there's a deviation from a preplanned route. An obvious matter of design choice to use the event of deviation from a prearranged course as one of the various trigger events since GPS is available on the system, giving it highly predictable results).

Regarding Claim 40, Anthony et al. taught the method wherein the analysis step initiates recording if the transportation vehicle does not follow a prearranged course (Col. 8, Lines 18-21; automatic trigger event to initiate recording may be when driver is not following usual habits. Col. 16, Lines 5-19; fleet action is recorded

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and uplinked to authorities and triggers response when there's a deviation from a preplanned route. An obvious matter of design choice to use the event of deviation from a prearranged course as one of the various trigger events since GPS is available on the system, giving it highly predictable results).

3. Claim 41 is rejected under 35 U.S.C. 102(e) as being anticipated by Anthony et al.

Regarding Claim 41, Anthony et al. taught an apparatus for monitoring and recording a data stream associated with a transportation vehicle (Abstract; system that can be used on mobile vehicles to stream digital audio/video to remote centers where they are recorded, transmitted, and analyzed), the apparatus comprising:

at least one capture device for receiving the data stream depicting activities within the transportation vehicle (Abstract; plurality of digital video cameras locally placed monitoring activities in real-time);

at least one recording device located within the transportation vehicle for recording the captured data stream (Col. 5, Lines 7-11; local controller placed within the automobile. Col. 7, Lines 21-61; audio video captured by cameras and microphones are recorded and processed by an Aaeon Electronics, Inc. compact board with hard disks and tape backup drives before being transmitted to a remote control center. Such a device is stored locally on a vehicle); and

a communication device for communicating the recorded data stream to a monitoring station (Abstract; telecommunications device to a satellite that downlinks the data signals to control centers for recording and analysis. Col. 10, Lines 65-67; streaming media server storing the video clips).

Response to Remarks

4. The Examiner respectfully acknowledges the cancellation of Claims 16 and 35, the addition of claims 39-41, and the amendments applied to the remaining claims filed on November 20, 2007. Amendments made to overcome the objections in the previous actions have been noted and are considered persuasive to overcome those respective objections.

Applicant's arguments with respect to Claims 1 & 20, 11 & 30, 15 & 34, and 39-41 (including the claims depending there from) have been fully considered but are moot in view of the new grounds of rejection set forth above under 35 U.S.C. §102 and 35 U.S.C. §103. However, for the purpose of clarification, the Examiner will respectfully address the arguments nevertheless below.

Applicant's comments submitted to aid in understanding the various differences of the claims over the cited prior art are appreciated, but the Examiner respectfully finds them unpersuasive to overcome rejections under 35 U.S.C. §103 and 35 U.S.C. §103.

In regards to the arguments addressing independent claims 1 and 20, Applicant submits that Anthony et al. fails to teach at least two capture devices for capturing at least two synchronized data streams depicting activities associated with the

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Anthony et al. clearly describes the use of a plurality of cameras as capture devices, each providing their own data stream. As for being synchronized, Applicant describes such streams to be time synchronized with respect to audio and video data from the plurality of capture devices on page 11 of the remarks received. Anthony et al. has all data from the plurality of capture devices streamed and recorded in real-time, thus, all the vantage points and audio must inherently be in sync as the events are recorded as they are occurring. They are stored in well-known file formats and authorities can even access them from archives for replay. The so-called "synchronized data streams" are merely well-known video/audio data renditions of recorded events as they occur, which are well-known in the art of surveillance. Anthony et al. clearly shows these streams with the added benefit of wireless network streaming and digital storage mediums for archive, analysis, and monitoring of the relative data.

Applicant further submits that Anthony fails to teach or suggest having capture devices located in a facility external to the transportation vehicle. Applicant mentions that such a feature can be exemplified in the form of another vehicle observing a target vehicle; this way the capture device is "associated" with that target vehicle, even though the capture device is on another. The Examiner respectfully submits that such features can easily be done as an obvious matter of design choice, because the user can simply arrange the cameras to point outward and have those cameras to be part of the surveillance of whatever that camera's target is. The motivation to do so can just be the desire to have another point of view on a possibly high-profile asset. Anthony et al. is

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fully capable of doing such a feature as the system is completely portable and relies on wireless transmission and human placement of the devices. Another example using Anthony et al. is provided in the rejection above. In addition, the claim language that the devices are located in a "facility external to the transportation vehicle." External of an transportation vehicle in the broadest reasonable interpretation may just mean outside of the vehicle and not within the cabin. Anthony et al. clearly describes capture devices on a external facility such as a vertical stabilizer on an airplane. Lastly, Anthony et al. clearly shows on-site recording of the streams on compact boards and devices stored on a vehicle prior to compression and transmission to a central office in the rejection taught above.

In regards to the arguments concerning claims 11 and 30, Applicant describes the data streams being synchronized with radio signals such as that from a police communication network. However, the claims only say they are synchronized with a radio signal, which Anthony et al. teaches above. Furthermore, since all audio is recorded and transmitted over a radio-based telecommunications network by Anthony et al.'s disclosed system, such radio communications, if any were to occur, are recorded as well.

In regards to the arguments concerning claims 15 and 34, Anthony et al. does teach having a recording device located locally as taught in the rejections above.

In regards to comments concerning newly added claims 39-41, rejections are provided above.

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Conclusion

- **5.** See the enclosed *Notice of References Cited* for a list of prior art that are considered pertinent to the applicant's disclosure but not explicitly relied upon in this action.
- Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Chan whose telephone number is (571)

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270-1927. The examiner can normally be reached on Monday-Friday from 9AM to

5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeff Pwu, can be reached on 571-272-6798. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Chan

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